

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NIZAR S. NAYANI, Individually and
on Behalf of All Others Similarly
Situated,

Plaintiff,

-v-

LIFESTANCE HEALTH GROUP, INC.,
MICHAEL K. LESTER, J. MICHAEL
BRUFF, ROBERT BESSLER, DARREN
BLACK, JEFFREY CRISAN, WILLIAM
MILLER, JEFFREY RHODES, ERIC SHUEY,
KATHERINE WOOD, MORGAN STANLEY &
CO. LLC, GOLDMAN SACHS & CO. LLC,
J.P. MORGAN SECURITIES LLC,
JEFFERIES LLC, TPG CAPITAL BD, LLC,
UBS SECURITIES LLC, and WILLIAM
BLAIR & COMPANY, L.L.C.,

Defendants.

22-cv-6833 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

Lead Plaintiff Nizar Nayani filed this putative class action against defendants LifeStance Health Group, Inc. ("LifeStance"), a firm that provides mental health services; nine of LifeStance's officers and directors (the "Individual Defendants"); and seven underwriters of LifeStance's initial public offering ("IPO"). The First Amended Complaint ("FAC") alleges that LifeStance filed a materially inaccurate registration statement (the "Registration Statement") in preparation for its IPO and seeks damages under Sections 11 and 15 of the Securities Act. The Court denied defendants' motion to dismiss the FAC by "bottom-line order" on April 10, 2023 and issued

an opinion reconfirming and explaining the reasoning for that ruling on May 4, 2023.

Nayani now moves to certify "a class of all persons, other than Defendants and their affiliates, who purchased LifeStance common stock in and/or traceable to the Company's initial public offering ('IPO') on or about June 10, 2021," to appoint Nayani as class representative, and to appoint his chosen counsel, Robbins Geller Rudman & Dowd LLP, as class counsel. ECF No. 63, at 1.

Upon consideration of the parties' written submissions and oral argument, the Court hereby grants Nayani's motion, but limits the class to those who purchased LifeStance common stock no later than November 8, 2021. An opinion explaining the reasoning for this decision will follow in due course. The Clerk is respectfully directed to close entry number 62 on the docket of this case.

SO ORDERED.

New York, NY
September 7, 2023


JED S. RAKOFF, U.S.D.J.